

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MEDTECH PRODUCTS INC.,

Plaintiff,

v.

**RANIR, LLC and
CVS PHARMACY, INC.**

Defendant.

MEDTECH PRODUCTS INC.,

Plaintiff,

v.

**DENTEK ORAL CARE, INC.,
KELLY M. KAPLAN,
RAY DUANE, and
C.D.S. ASSOCIATES, INC.,**

Defendant.

MEDTECH PRODUCTS INC.,

Plaintiff,

v.

**POWER PRODUCTS, INC.,
d/b/a/ SPLINTEK,**

Defendant.

Civil Action No. 07 CV 03302-KMK-LMS

**MOTION TO ADMIT COUNSEL
PRO HAC VICE**

FILED
U.S. DISTRICT COURT
2007 OCT 22 PM 3:58
S.D. OF N.Y.

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PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Court for the Southern and Eastern Districts of New York, I, Amy Manning, a member in good standing of the Bar of this Court, hereby move for an order allowing the admission *pro hac vice* of:

Applicant's Name: Samuel F. Miller
Firm Name: Baker, Donelson, Bearman, Caldwell & Berkowitz PC
Address: 165 Madison Avenue, Suite 2000
City/State/Zip Memphis, TN 38103
Phone Number: (901) 526-2000
Fax Number: (901) 577-2303
Email Address: smiller@bakerdonelson.com

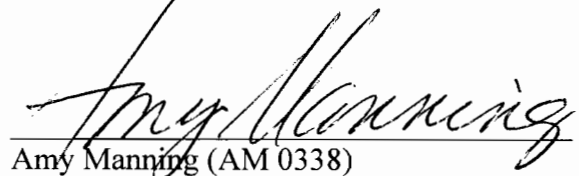
Samuel F. Miller is a member in good standing of the Bar of the State of Tennessee.

There are no pending disciplinary proceedings against Samuel F. Miller, in any State or Federal court.

Dated: October 22, 2007

New York, NY

Respectfully submitted,

A handwritten signature in cursive script, reading "Amy Manning", is written over a horizontal line.

Amy Manning (AM 0338)
Alston & Bird LLP
90 Park Avenue
New York, NY 10016
Tel.: (212) 210-9543
Fax: (212) 210-9444

*Attorneys for Plaintiff Medtech Products,
Inc.*

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AFFIDAVIT OF AMY MANNING
IN SUPPORT OF MOTION TO ADMIT
COUNSEL PRO HAC VICE

State of New York)

) ss.

County of New York)

Amy Manning, being duly sworn, hereby deposes and says as follows:

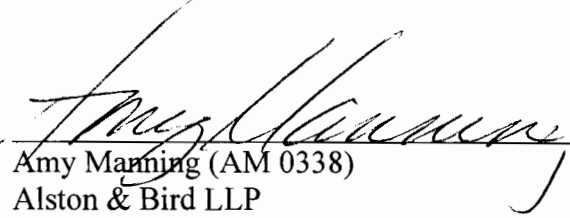
1. I am an associate at Alston & Bird LLP, counsel for Plaintiff in the above-captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiff's motion to admit Samuel F. Miller as counsel pro hac vice to represent Plaintiff in this matter.
2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in July 2001. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
3. I have known Samuel F. Miller since 2007.
4. Mr. Miller is an associate at Baker, Donelson, Bearman, Caldwell & Berkowitz PC in Memphis, Tennessee.
5. I have found Mr. Miller to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.
6. Accordingly, I am pleased to move the admission of Samuel F. Miller, *pro hac vice*.
7. *I respectfully submit a proposed order granting the admission of Samuel F. Miller, pro hac vice, which is attached hereto as Exhibit A.*

WHEREFORE it is respectfully requested that the motion to admit Samuel F. Miller, pro hac vice, to represent the Plaintiff in the above captioned matter, be granted.

Dated: October 22, 2007

New York, NY

Respectfully submitted,



Amy Manning (AM 0338)

Alston & Bird LLP

90 Park Avenue

New York, NY 10016

Tel.: (212) 210-9543

Fax: (212) 210-9444

*Attorneys for Plaintiff Medtech Products,
Inc.*

Sworn to before me this 22 day of
October, 2007


Notary Public

RYAN C. CONLEY
Notary Public, State of New York
No. 01CO8158880
Qualified in New York County
Commission Expires January 8, 2011

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**ORDER OF ADMISSION
PRO HAC VICE
ON WRITTEN MOTION**

Upon the oral motion of Amy S. Manning, attorney for Medtech Products Inc., and said sponsor attorney's affidavit declaration that applicant Samuel F. Miller is a member in good standing of

the bars of the states of Tennessee and Mississippi; and that applicant's contact information is as follows:

Applicant's Name: Samuel F. Miller
Firm Name: Baker, Donelson, Bearman, Caldwell & Berkowitz PC
Address: 165 Madison Avenue, Suite 2000
City/State/Zip Memphis, TN 38103
Phone Number: (901) 526-2000
Fax Number: (901) 577-2303
Email Address: smiller@bakerdonelson.com

said applicant having requested admission *pro hac vice* to appear for all purposes as counsel for Medtech Products Inc. in the above entitled action;

IT IS HEREBY ORDERED that Samuel F. Miller, is admitted to practice *pro hac vice* as counsel for Medtech Products Inc. in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately register for an ECF password at nysd.uscourts.gov. Counsel shall immediately forward the *pro hac vice* fee to the Clerk of the Court.

Dated:

City, State:

United States Magistrate Judge

CERTIFICATE OF GOOD STANDING

UNITED STATES OF AMERICA

} SS.

WESTERN DISTRICT OF TENNESSEE

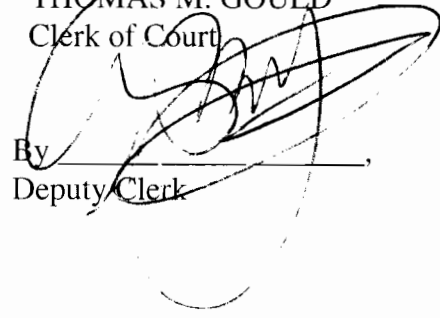
I, THOMAS M. GOULD, Clerk of the United States for the Western District of
Tennessee, Western Division,

DO HEREBY CERTIFY That **SAMUEL F. MILLER** Was duly admitted to practice in
said Court on June 27, 2006 and is in good standing as a member of the bar of said Court.

Dated at Memphis, Tennessee

on September 24, 2007.

THOMAS M. GOULD
Clerk of Court

By 
Deputy Clerk

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STATE OF NEW YORK)

COUNTY OF NEW YORK)

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AFFIDAVIT OF SERVICE

Carolyn Forrester, being duly sworn, deposes and says that I am employed in the office of Alston & Bird LLP attorneys for Plaintiff Medtech Products, Inc. and that on October 22, 2007, I served a true copy of the within Motion to Admit Counsel Pro Hac Vice, Affidavit of Amy Manning in Support of Motion to Admit Counsel Pro Hac Vice and the Proposed Order for Admission Pro Hac Vice on Written Motion by mailing a copy of the same in a postage-paid first-class envelope addressed as follows:

James Holman Shalek, Esq.
Alan Federbush, Esq.
Proskauer Rose LLP
1585 Broadway
New York, NY 10036

Gregory James Sieczkiewicz
Proskauer Rose LLP
One International Place
Boston, MA 02110

*Attorneys for Consolidated Defendant and
Counter Claimant DenTek Oral Care, Inc.*

Kathy Dutton Helmer, Esq.
Anthony P. La Rocco, Esq.
Kirkpatrick & Lockhart Preston Gates Ellis, LLP (NJ)
One Newark Center
10th Floor
Newark, NJ 07102

Barry Pickens, Esq.
Spencer Fane Britt & Browne LLP
1000 Walnut Street, Suite 1400
Kansas City, MO 64106

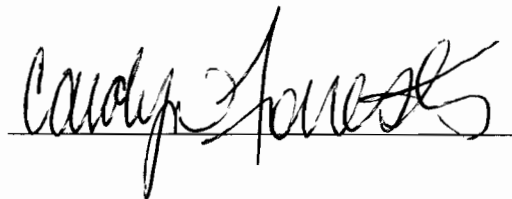
*Attorneys for Consolidated Defendant and
Counter Claimant Power Products, Inc. (d/b/a Splintek)*

John Paul Fulco, P.C.
Salon Marrow Dyckman Newman & Broudy LLP
292 Madison Avenue, 6th Floor
New York, New York 10017

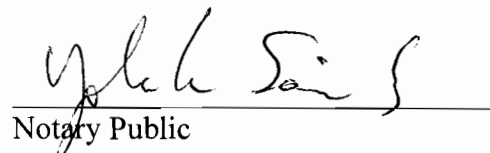
Attorneys for Consolidated Defendant Kelly M. Kaplan

Ray Duane
7741 Broadwing Drive
North Las Vegas, NV 89084-2432

C.D.S. Associates, Inc.
2441 East Rockledge Road
Phoenix, AZ 85048-4308

A handwritten signature in black ink, appearing to read "Candy Jones", written over a horizontal line.

Sworn to before me this 22 day of
October, 2007.

A handwritten signature in black ink, appearing to read "Yolanda Sanchez", written over a horizontal line.
Notary Public

YOLANDA SANCHEZ
Notary Public, State of New York
No. 01SA6157467
Qualified in Bronx County
Commission Expires Dec. 11, 2010